

IV.

That a Summons issued for Defendant, James Tyler Davis, and a copy of the Complaint were served upon James Tyler Davis on or about January 3, 2023.

V.

That a Summons issued for Defendant, Samuel Roistacher, and a copy of the Complaint were served upon Samuel Roistacher on or about January 3, 2023.

VI.

That Plaintiff brought this matter pursuant to 42 U.S.C. §1983 and §1988.

That Plaintiff has alleged violations of his rights under the Fourth and Fourteenth Amendments to the United States Constitution.

VII.

That, pursuant to 28 U.S.C. §1441 and 28 U.S.C. §1446, the Defendants are entitled to remove this case to federal Court.

VIII.

That this Notice of Removal is timely filed pursuant to 28 U.S.C. §1446(b) in that it is filed within thirty (30) days after the original filing and within thirty (30) days after the receipt by the Defendants of the Summons and Complaint.

IX.

That, according to the Plaintiff's Complaint, this case involves an incident that occurred in Hamilton County, Tennessee.

That this Court is the district court for the district embracing Hamilton County, Tennessee.

That, pursuant to 28 U.S.C. §1331, this Court has jurisdiction over this case.

X.

That Exhibit A contains all the process, pleadings, or other documents contained in the court file of the Circuit Court of Hamilton County, Tennessee, Case No. 22-C-1318.

XI.

That each Defendant consents to the removal of this action to the U.S. District Court for the Eastern District of Tennessee.

XII.

That Defendants expressly reserve the right to raise all defenses and objections in this case after this action has been removed to this Court.

WHEREFORE, Defendants pray that the above-referenced cause of action be removed from the Circuit Court of Hamilton County, Tennessee, to this Honorable Court.

CITY OF EAST RIDGE, TENNESSEE

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of January, 2023, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

Robinson, Smith & Wells, PLLC

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